

# Ordinance No. 193-2020

**Council Members McCormack, Cleveland, Brancatelli and Kelley (by departmental request)**

## AN EMERGENCY ORDINANCE

Authorizing the Director of Port Control to enter into a Lease by Way of Concession to operate, manage, and secure the transient marina, commonly known as the Rock and Dock Marina located at North Coast Harbor, associated support facility, concessions, and equipment rental programs, for the Department of Port Control, for a period of five years, with one five-year option to renew, exercisable by additional legislative authority; and authority to enter into related agreements for the installation of communication lines.

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That, notwithstanding Section 183.03 or any other provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Port Control is authorized to enter a Lease by Way of Concession on the basis of competitive proposals to operate, manage, and secure the transient marina, commonly known as the Rock and Dock Marina located at North Coast Harbor, associated support facility, concessions, and equipment rental programs, for the Department of Port Control, for a period of five years, with one five-year option to renew, exercisable by additional legislative authority and Director of Port Control's approval. The selection of the concessionaire shall be made by the Board of Control, upon the nomination of the Director of Port Control. The concession fee to be paid to the City shall be fixed by the Board of Control.

Section 2. That the Director of Port Control is authorized to enter into right of entry agreements, license agreements and/or any other agreements necessary to effectuate the installation of fiber optic or telecommunication lines required for the selected concessionaire or his agent to provide phone and internet service to the NCH transient marina. Any fees to be paid to the City shall be fixed by the Board of Control.

Section 3. That the Lease by Way of Concession shall be prepared by the Director of Law.

Section 4. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

AP:nl  
2-10-20

FOR: Director Kennedy

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**READ FIRST TIME on FEBRUARY 10, 2020  
and referred to DIRECTORS of Port Control,  
City Planning Commission, Finance, Law;  
COMMITTEES on Transportation,  
Development Planning and Sustainability, Finance**

**REPORTS**

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CITY CLERK

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READ SECOND TIME

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CITY CLERK

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READ THIRD TIME

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PRESIDENT

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CITY CLERK

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APPROVED

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MAYOR

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**REPORT  
after second Reading**

PASSAGE RECOMMENDED BY  
COMMITTEE ON  
TRANSPORTATION

FILED WITH COMMITTEE

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PASSAGE RECOMMENDED BY  
COMMITTEE ON  
DEVELOPMENT, PLANNING AND  
SUSTAINABILITY

FILED WITH COMMITTEE

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PASSAGE RECOMMENDED BY  
COMMITTEE ON  
FINANCE

FILED WITH COMMITTEE

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